

PTO/SB/64 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
G08.151/U

First named inventor: Bridges, Tim

Application No.: 09/723,694

Art Unit: 3693

Filed: November 28, 2000

Examiner: Weisberger, Richard C.

Title: REDUCTION OF FINANCIAL INSTRUMENT VOLATILITY

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of Amendment and Response (identify type of reply):

- ☒ has been filed previously on 10/05/2006  
☒ is enclosed herewith (copy of previous Response).

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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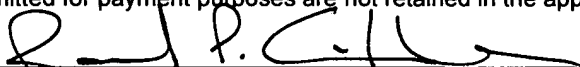
## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

February 9, 2007

Date

Randolph P. Calhoun

Typed or printed name

45,371

Registration Number, if applicable

50 Locust Avenue

(203) 972-5985

Address

Telephone Number

New Canaan, CT 06840

Address

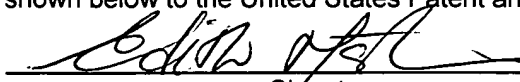
Enclosures: ☐ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Credit Card Authorization Form for \$1,500.00**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

February 9, 2007

Date



Edith Martin

Signature

Typed or printed name of person signing certificate



Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: BRIDGES et al.

Application No.: 09/723,694

Filing Date: 11/28/2000

For: REDUCTION OF FINANCIAL  
INSTRUMENT VOLATILITY

)  
) Group Art Unit: 3693  
)

) Examiner: Weisberger, Richard C.  
)

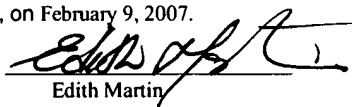
) **STATEMENT IN SUPPORT OF**  
) **PETITION FOR REVIVAL**  
)

) Attorney Docket No.: G08.151/U  
)

) **PTO Customer Number 28062**  
) Buckley, Maschoff & Talwalkar LLC  
) 50 Locust Avenue  
) New Canaan, CT 06840  
)  
)

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 9, 2007.

Dated: February 9, 2007 By: 

Edith Martin

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF PETITION FOR REVIVAL**

Sir:

In response to the Notice of Abandonment mailed January 16, 2007 and the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) filed on even date herewith, please enter and consider the following remarks.

## REMARKS

(1) An Amendment and Response to the July 5, 2006 Non-Final Office Action was filed with the USPTO by Applicant via facsimile on October 5, 2006. The Amendment and Response consisted of a total of 13 pages including the facsimile cover page, as indicated on the facsimile cover sheet transmitted with the Amendment and Response. A copy of the Amendment and Response and the facsimile cover sheet are included herewith.

(2) An Auto-Reply Facsimile Transmission (i.e., receipt) was received by the undersigned (i.e., receipt) on October 5, 2006 from the USPTO. The receipt clearly shows the date (10/5/2006), total number of pages (13), and the facsimile cover sheet received by the USPTO. A copy of the Auto-Reply Facsimile Transmission receipt is included herewith.

(3) Applicant's attorney-representatives, Buckley, Maschoff & Talwalkar LLC, received the Notice of Abandonment on or about January 18, 2007.

(4) Upon review of the Notice of Abandonment and Private PAIR, it is apparent that the present application has been unintentionally abandoned since Applicant in fact filed a fully responsive reply to the July 5, 2006 Non-Final Office Action with the USPTO via facsimile on October 5, 2006.

(5) A review of the Image File Wrapper of Private PAIR reveals 12 blank pages in the Response received on October 5, 2007 by the USPTO.

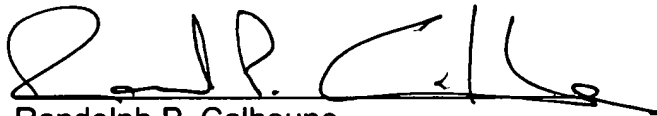
(6) Applicant respectfully submits that an error occurred on the USPTO's processing end of the October 5, 2006 facsimile filing of the Response. Accordingly, Applicant respectfully requests that the fee for the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) filed on even date herewith be refunded since the unintentional abandonment of the present application is due to a USPTO mistake or error.

## CONCLUSION

Accordingly, Applicant respectfully requests the withdrawal of the abandonment of the present application as requested in the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) filed on even date herewith, as well as the refund of the petition fee (\$1,500) to Deposit Account No. 50-1852. If any issues remain, the Office is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

February 9, 2007  
Date

A handwritten signature in black ink, appearing to read "R. P. Calhoun", written over a horizontal line.

Randolph P. Calhoun  
Registration No. 45,371  
Buckley, Maschoff & Talwalkar LLC  
50 Locust Avenue  
New Canaan, CT 06840  
(203) 972-5985